

Lawrence R. Velvel  
Massachusetts School of Law  
500 Federal Street  
Andover, MA 01810  
Tel: (978) 681-0800  
Fax: (978) 681-6330  
Email: [velvel@mslaw.edu](mailto:velvel@mslaw.edu)

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

**SECURITIES INVESTOR PROTECTION  
CORPORATION,**

**Plaintiff-Applicant,**

**v.**

**BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,**

**Defendant.**

**Adv. Pro. No. 08-01789 (BRL)**

**SIPA LIQUIDATION  
(Substantively Consolidated)**

**In re:**

**BERNARD L. MADOFF,**

**Debtor.**

**IRVING H. PICARD, Trustee for the Liquidation)  
of Bernard L. Madoff Investment Securities, LLC)**

**Plaintiff,**

**v.**

**LAWRENCE R. VELVEL,**

**Defendant.**

**Adv. Pro. No. 10-05412 (BRL)**

**LAWRENCE R. VELVEL'S STATEMENT OF ISSUES  
AND DESIGNATION OF RECORD ON APPEAL  
[Related Document – Document No. 3545]**

Lawrence R. Velvel hereby provides, pursuant to Rule 8006 of the Federal Rules of Bankruptcy Procedure, his statement of issues to be presented on appeal, and his designation of items to be included in the record on appeal.

**STATEMENT OF ISSUES**

On November 10, 2010 the Bankruptcy Court entered an Order (“The Order”) establishing the procedures to be followed in certain adversary proceedings in this case. The issues on appeal relate to The Order. In particular, the issues are:

1. Whether the provisions of The Order severely limiting discovery are lawful.
2. Whether the provisions of The Order barring depositions of the Trustee without special dispensation from the Court are lawful.
3. Whether The Order’s requirement of mandatory mediation imposed on defendants is lawful where the Trustee’s counsel has explicitly said the Trustee will give little or no weight to the defendants’ legal positions.

**DESIGNATION OF RECORD**

<b><u>Item No.</u></b>	<b><u>Docket No.</u></b>	<b><u>Description</u></b>
1	3141	Order of November 10, 2010 (1) Establishing Litigation Case Management Procedures For Certain Avoidance Actions and (2) Amending The February 16, 2010 Protective Order
2	3194	Transcript of Hearing Held on November 10, 2010